

Date

Brent LeBlanc  
217 Black Oak Lane  
Mandeville, Louisiana 70447

**Re: Ethics Board Docket No. 2021-738**

Dear Mr. LeBlanc:

The Louisiana Board of Ethics, at its October 8, 2021 meeting, considered your request for an advisory opinion as to whether you may, upon your retirement from the Louisiana Public Service Commission, work as a sales representative for a prospective private employer.

### **FACTS PROVIDED**

You are employed by the Louisiana Public Service Commission ("PSC"). You are currently the Information Technologies Director, and have been in that role for over 20 years. In such role, your responsibilities are to provide management of all projects carried out by information technology personnel and service providers, develop contracts, and develop and consult with the executive secretary on the information technology budget and strategic plan.

You would like to retire from PSC and obtain employment in the private sector. You are considering a role as a sales representative for a software development company, Dorger Software Engineers ("Dorger").

PSC entered into a contract with Dorger in 2018, and since 2020, Dorger has implemented and maintained a software system for PSC.

In your role with Dorger, you would have no interaction with PSC and would attempt to sell Dorger services to other governmental agencies, including outside Louisiana.

### **LAWS**

**La. R.S. 42:1121A(1)** provides no former agency head or elected official shall, for a period of two years following the termination of his public service as the head of such agency or as an elected public official serving in such agency, assist another person, for compensation, in a transaction, or in an appearance in connection with a transaction, involving that former agency or render any service on a contractual basis to or for such agency.

**La. R.S. 42:1121C** provides that no legal entity in which a former public servant is an officer, director, trustee, partner, or employee shall, for a period of two years following the termination of his public service, assist another person, for compensation, in a transaction, or in an appearance in connection with a transaction in which such public servant at any time participated during his public

service and involving the agency by which he was formerly employed or in which he formerly held office.

**La. R.S. 42:1102(16)** defines “person” to mean an individual or legal entity other than a governmental entity, or an agency thereof.

### ANALYSIS

For a period of two years following your termination, you may not assist another person, for compensation, in a transaction with your former agency. Further, any private entity in which you are an officer, director, trustee, partner, or employee, is prohibited, for a period of two years following your termination, from assisting a private individual or entity in a transaction, or in an appearance in connection with a transaction in which you participated while employed by PSC. Accordingly, while you would be prohibited from assisting Dorger in transactions with your former department at PSC, you would not be prohibited from working with Dorger on other matters. Further, as long as Dorger is working with PSC directly, your employment by Dorger would not prevent Dorger from continuing to maintain its systems currently under contract with PSC.

### CONCLUSION

The Board concluded, and instructed me to inform you, that, generally, the Code of Governmental Ethics would permit you to be employed by a private employer to provide sales services to a prospective employer following your retirement from PSC, provided that you do not assist such employer in transactions with your former department. Further, your prospective employer would be able to maintain its relationship with PSC provided it is not assisting another person in providing those services.

This advisory opinion is based solely on the facts as set forth herein. Changes to the facts as presented may result in a different application of the provisions of the Code of Ethics. The Board issues no opinion as to past conduct or as to laws other than the Code of Governmental Ethics. If you have any questions, please contact me at (800) 842-6630 or (225) 219-5600.

Sincerely,

**LOUISIANA BOARD OF ETHICS**

---

Charles E. Reeves, Jr.  
For the Board